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PUBLIC COMMENT 8400076

From: Deborah Smith <d1605bmi@yahoo.com>  
To: <wvogl@samhsa.gov>  
Date: 7/6/04 11:55PM  
Subject: Public Comment on FR DOCKET NUMBER 04-7984, Mandatory Guidelines

I'm writing to state my emphatic request that SAMHSA make changes to its proposed drug testing guidelines, because as currently written, they will serve to unfairly discriminate against those who suffer from paruresis, also commonly known as "Shy Bladder". The inability to produce a urine specimen upon demand when willing to do so should never be equated in any way with a "refusal" to test, especially when the individual is willing to submit to an alternate form of testing.

SAMHSA should also eliminate the 3 hour / 40 ounce rule because it actually is very barbaric punishment for those who suffer from severe from paruresis and are unable to produce a urine specimen upon demand in a testing situation. The problem is not a lack of fluid; it is the inability to release it on demand or near others. Instead, SAMHSA must MANDATE the use of tests such as oral fluid, sweat, hair, or blood for any job applicant or employee who suffers from paruresis, notifies the tester of that fact and requests alternate testing. The willingness to submit to alternate testing obviously and clearly differentiates those who truly suffer from paruresis from those who may have reason to fear testing due to drug usage.

The present rules result in an extraordinary degree of job discrimination against the many people who simply cannot physically provide a urine specimen upon demand, due to paruresis (or for other various physical or psychological reasons).

It is very difficult to understand or even imagine the life and career-limiting difficulties that paruresis causes in the lives of those who suffer from it, especially for those who are severely afflicted, unless one has lived life in their shoes. It is an embarrassing subject to talk about, which most sufferers have dealt with in silence throughout much of their lives since childhood.

The proliferation of urine drug testing, while a noble idea, has made the lives of the many paruresis sufferers incredibly more difficult and has virtually eliminated most reasonable career options for many of them. (Even Wal-Mart requires urine testing for their employees) It is a sad and very unfair thing that otherwise productive and useful law-abiding citizens are punished and regularly discriminated against in employment because they suffer from a known psychological condition. They didn't ask for this condition any more than someone who has been diagnosed with some other life-limiting medical condition and there is no quick fix or simple cure. If there was – we would all thankfully pay a steep price to have it. Hopefully in the future, someone will find some type of medication that will help, but there is currently nothing that works.

Like many, I have suffered from paruresis since childhood and my grandfather and father also suffered from it, which is common. Even with paruresis, I served honorably in the US military and more than 20 years as a law enforcement officer – I'm no drug user! Please do the right thing – alternate testing is readily available and will right this incredible wrong, while still identifying drug abusers.

Thank you for the opportunity to state my concerns.

IPA Member

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